

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JOSEPH BENNETT

PETITIONER

vs.

CIVIL ACTION NO. 3:20cv229-HTW-FKB

RONALD KING

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THIS COURT is the Report and Recommendation of the United States Magistrate Judge F. Keith Ball [Docket no. 12], which was entered on November 23, 2020. The Petitioner did not file any objection to the Magistrate Judge's Report and Recommendation.

The Magistrate Judge recommended that Respondent's motion to dismiss [doc. no. 10] be granted and the Petition dismissed with prejudice, as untimely.

This Court has reviewed the Report and Recommendation of the Magistrate Judge, as well as the court filings and the relevant law, and concludes that Respondent's motion to dismiss [**doc. no. 10**] should be and hereby is granted, and that the findings in the Report and Recommendation [**doc. no. 12**] should be and are hereby **adopted** as this Court's own. Accordingly, this court dismisses this Petition with prejudice. A separate Final Judgment will issue on this date.

SO ORDERED AND ADJUDGED, this 9th day of March, 2021.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE